

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY**

**CRIMINAL ACTION NO. 5:14-CR-244-ICB-OJA
CIVIL ACTION NO. 5:18-CV-591-ICB-OJA**

DONALD L. BLANKENSHIP

PETITIONER

V. MOTION FOR EXTENSION OF TIME TO RESPOND

UNITED STATES OF AMERICA

RESPONDENT

The United States, through counsel, requests additional time to respond to Petitioner's pending motion for an *in camera* review of documents withheld on privilege grounds. See Docket Entry ("DE") 669. On May 22, 2018, the United States Attorney's Office for the Southern District of West Virginia was recused from defending the Section 2255 motion filed by the Petitioner on April 18, 2018. DE 672-1 (Notice of Recusal). On May 25, 2018, the undersigned was sworn in to represent the United States in this matter. DE 672-2 at 3 (Appointment Affidavit). A response to the pending motion is due on June 4, 2018. The United States requests a continuance of ten days to permit time to transfer the necessary files from the Southern District of West Virginia to the Eastern District of Kentucky, and to review the relevant documents, the privilege logs, and the privilege claims asserted by the Department of Labor.

Respectfully submitted,

JEFFERSON B. SESSIONS III
UNITED STATES ATTORNEY GENERAL

ROBERT M. DUNCAN, JR.
UNITED STATES ATTORNEY
EASTERN DISTRICT OF KENTUCKY

By: /s/ Kate K. Smith
Kate K. Smith
Assistant United States Attorney
260 W. Vine Street, Suite 300
Lexington, KY 40507
(859) 685-4855
(859) 685-4820
Fax: (859) 233-2747
kate.smith@usdoj.gov

CERTIFICATE OF SERVICE

On May 25, 2018, I electronically filed this document through the ECF system, which provided notice to counsel of record.

/s/ Kate K. Smith
Assistant United States Attorney